

UNITED STATES DISTRICT COURT

District of Wyoming

UNITED STATES OF AMERICA

v.

RICHARD PERSON

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

2016 MAR 4 AM 11 17
CRIMINAL COMPLAINT

CASE NUMBER: JENNIFER L. CLARK
CLERK
CHEYENNE

16-MJ-14-F

I, Mark Timmons, the complainant in this case, state the following is true to the best of my knowledge and belief.

On or about March 3, 2016, in the District of Wyoming, the Defendant, **RICHARD PERSON**, did knowingly possess material which contains an image, or images, of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that involved a prepubescent minor, and which was produced using materials that had been mailed, shipped and transported in and affecting interstate or foreign commerce, to wit, the Defendant possessed a Seagate 1 TB hard disk drive, that contained one or more digital images depicting children engaged in sexually explicit conduct.

In violation of 18 U.S.C. § 2252A(a)(5)(B) and (b)(2).

I further state that I am a Special Agent with the Wyoming Attorney General's Office, Division of Criminal Investigation (DCI), and I am assigned to the Wyoming Internet Crimes Against Children Task Force (ICAC) and at all times mentioned herein was acting in official capacity. This complaint is based on the following facts:

☒ Continued on the attached sheet.



Signature of Complainant

MARK TIMMONS

Sworn to before me and signed in my presence.

March 4, 2016

Date

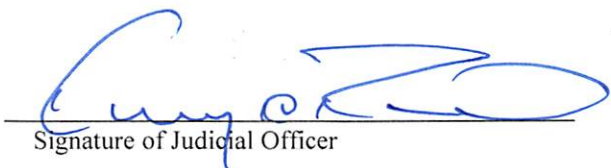
Cheyenne, Wyoming

City and State

Honorable Kelly H. Rankin

United States Magistrate Judge

Name and Title of Judicial Officer



Signature of Judicial Officer

**SWORN STATEMENT IN SUPPORT OF CRIMINAL
COMPLAINT**

**SPECIAL AGENT MARK
TIMMONS**

UNITED STATES v. RICHARD PERSON

I, Mark Timmons, being duly sworn on oath, swear and affirm as follows:

1. I am a duly authorized Peace Officer in the State of Wyoming, as defined by W.S. § 7-2-101 (a)(iv), and acted at all times described herein in my official capacity as a member of the Wyoming Division of Criminal Investigation. I am currently assigned to the ICAC unit and my primary responsibility is to locate, investigate, and apprehend individuals who use technology to exploit children.

2. All events described herein occurred in Laramie County, Wyoming.

3. On March 3, 2016, I obtained a state search warrant for a residence located at 1316 East Fox Farm Road, Cheyenne, Wyoming. The search warrant authorized a search for evidence relating to the possession, receipt, and distribution of child pornography. I and other agents assigned to the ICAC unit served the search warrant at approximately 1:00 pm on March 3, 2016. During the course of the search, agents were attempting to locate computers and other electronic storage media which were suspected to contain child pornography. When we executed the search warrant, the sole resident of the premises, Richard PERSON (aka: Rick PERSON) was present.

4. During the course of the search, a desktop computer was discovered in a room dedicated to computer usage. Todd Colvin, a computer forensic examiner assigned to the ICAC unit, noted that connected to the desktop were at least 8 mounted drives giving the system a storage capacity of approximately 15 terabytes. Most of that storage capacity appears to be allocated. During an onsite computer preview Colvin noted that the desktop computer

had a file sharing software program that was running at the time of the search. Based upon my training and experience I know that individuals who collect child pornography often use file sharing software to obtain the images of child pornography they maintain. In fact, during the preview of the computer system it appears there are thousands, if not tens of thousands, of digital images and movie clips depicting children engaged in sexually explicit conduct on various drives within the system. Colvin noted numerous files of suspected child pornography located on one of the attached drives (W:D-loads). An image file from that attached drive had a filename "13741657055_PollyNude.jpg" and it depicted a nude prepubescent female approximately 8-10 years of age squatting down on the floor with her hands under buttocks with legs spread exposing her vagina to the camera.

5. I also examined some of the content of the attached hard drive referenced in paragraph 4 above and observed a digital movie clip with a filename of "7yo_bj.mp4." This video file depicted a prepubescent female approximately 8-10 years of age performing oral sex on an adult male penis.

6. Richard PERSON was questioned by me while the search warrant was being executed. PERSON admitted that the desktop computer belonged to him and acknowledged that the searching agents would locate child pornography on the computer system.

7. Based upon my preliminary exam of the computer system I believe the W drive referenced in paragraphs 4 and 5 above is a Seagate 1TB hard disk drive. I know that the images contained on the Seagate hard disk drive could not come into existence without the operation of the Seagate hard disk drive and the other computer equipment maintained by PERSON. Based upon my training and experience I know that Seagate hard disk drives are not manufactured in Wyoming.

8. PERSON is a registered sex offender having been convicted in the First Judicial District Court in and for Laramie County, Wyoming, Docket number 26-730 on December 19, 2001, with the offenses of second degree sexual assault and third degree sexual assault.

END OF SWORN STATEMENT

PENALTY SUMMARY - COMPLAINT

DEFENDANT NAME: RICHARD PERSON

DATE: March 4, 2016

INTERPRETER NEEDED: No

PLACE OF TRIAL: The government, pursuant to Rule 18, F.R.Cr.P., with due regard for the convenience of the Defendant, any victim and witnesses, and the prompt administration of justice, requests trial be held in:

Cheyenne

VICTIM(S): Yes

OFFENSE/PENALTIES: 18 U.S.C. §§ 2252A(a)(5)(B) and (b)(2)
(Possession of Child Pornography)

Not less than 10 or more than 20 years imprisonment
Up to \$250,000 fine
5 years to a term of life supervised release
\$100 Special Assessment

AGENT: Mark Timmons/DCI

AUSA: James C. Anderson, Assistant United States Attorney

ESTIMATED TIME OF TRIAL: 1 to 5 days

WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE: Yes

ARE THERE DETAINERS FROM OTHER JURISDICTIONS: no